

CHAPTER 752 CORRECTIVE, DISCIPLINARY AND ADVERSE ACTIONS

APPENDIX D SUPERVISOR'S GUIDE FOR CASES OF SUSPECTED INTOXICATION ON THE JOB

1. MEDICAL DETERMINATION

a. Only competent medical authority is qualified to conduct a medical examination relating to intoxication and render a judgment that medical attention is required. (See HRO Manual, Chapter 339.)

b. Upon completion of medical evaluation, management makes the determination as to appropriate course of action after considering all facts bearing on the individual case at hand.

2. SUPERVISORY DETERMINATION. As a general rule the immediate supervisor is the first to recognize a situation giving rise to suspicion of intoxication. Some, but not all, of the means of supervisory detection are as follows:

- a. Odor of intoxicants on an employee's breath;
- b. Red or bleary eyes or unusually dilated or restricted pupils;
- c. Unsteady walk or drowsiness/nodding;
- d. Slurred speech; and/or
- e. Unusual giddiness or loud talking.

3. STEPS TO FOLLOW AFTER SUPERVISORY DETERMINATION. In those situations where a supervisor finds an employee ingesting intoxicants while on duty, or appearing to be under the influence of intoxicants, or where the employee is behaving in such a manner as to suggest he/she is not "ready, willing and able to work," the supervisor should:

a. Summon another supervisor or responsible employee to witness the affected employee's behavior, physical appearance and response to the supervisor's questions and/or instructions.

b. In the presence of a witness, confiscate any intoxicating beverage the employee may have in his/her possession, giving him/her a receipt describing the contents, if known, and quantity. If the employee is reluctant to surrender the evidence, request assistance from base security.

c. The supervisor may either take the employee, or have the employee taken to the nearest Federal medical facility. After normal business hours, the employee should be taken to the Sewells Point Branch Clinic, or the Naval Medical Center, Portsmouth. Assistance from base security may be required in the event of transportation problems or when an employee becomes uncooperative. Competence for Duty Examination Form (NAVMED 6120/1) may be obtained upon arrival at the nearest Federal medical facility or is available in Appendix E of this Chapter.

d. Call the Labor/Employee Relations Department, HRO Norfolk and advise the specialist of what has taken place; guidance is available on the appropriate steps needed.

e. Following examination or observation, the supervisor should obtain an executed copy of the NAVMED 6120/1 from the attending medical authority. The supervisor should retain a copy and forward the original to the specialist with whom discussion was previously held, as noted in the above paragraph.

(1) If the employee is determined not to be under the influence of intoxicants, and is otherwise fit for duty, he/she should be returned to duty.

(2) If the medical examiner determines that the employee is under the influence of intoxicants, but not in need of any further medical attention, the employee will be sent home for failing to be "ready, willing and able to work." If the employee is found to need further immediate medical care, he/she will be referred to the appropriate community resource. In neither of these instances should the employee be allowed to leave the facility driving a motor vehicle. The employee shall be escorted to his/her place of residence or released to the custody of next of kin, a relative or friend, if possible. Should an intoxicated employee's conduct be such that he/she may constitute a hazard to himself/herself or others, base security should be requested to escort the employee off the station and to deliver him/her to the custody of the police.

NOTE: DON HAS ISSUED REGULATIONS GOVERNING "NAVY'S DRUG-FREE WORKPLACE." THESE REGULATIONS PROVIDE SUPERVISORS WITH GUIDANCE FOR CASES OF SUSPECTED DRUG ABUSE ON THE JOB WHICH DIFFER FROM THE ABOVE PROCEDURES. SEE CHAPTER 792, SUBCHAPTER 2 OF THIS MANUAL ON DON'S DRUG-FREE WORKPLACE PROGRAM.